

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.	_____
	:		
v.	:	DATE FILED:	_____
	:		
YUSUF HOWARD	:	VIOLATIONS:	21 U.S.C. § 841(a)(1) (Possession with intent to deliver cocaine - 1 count) 18 U.S.C. § 924(c) (Carrying a firearm during and in relation to a drug trafficking offense - 1 count) 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(e)(1) (Felon in possession of a firearm - 1 count) 21 U.S.C. § 853 (Notice of forfeiture) 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) (Notice of forfeiture) (Notice of Prior Convictions)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 26, 2003, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

YUSUF HOWARD

did knowingly and intentionally possess with intent to distribute a mixture or substance containing a
detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 26, 2003, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

YUSUF HOWARD

knowingly carried a firearm, that is, a Smith & Wesson .38 caliber revolver, Model 36 with Serial
Number 5J6746 loaded with five live rounds, during and in relation to a drug trafficking crime for which
he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 26, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant

YUSUF HOWARD,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm and ammunition, that is, a Smith & Wesson .38 caliber revolver, Model 36 with Serial Number 5J6746 loaded with five live rounds.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 21, United States Code, Section 841(a)(1) set forth in Count One of this Indictment, the defendant,

YUSUF HOWARD,

shall forfeit to the United States under Title 21, United States Code, Section 853:

(a) any property used, in any manner or part, to facilitate the commission of, the violation of Title 21, United States Code as charged in this Indictment, including but not limited to: a Smith & Wesson .38 caliber revolver, Model 36 with Serial Number 5J6746 loaded with 5 rounds.

(b) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of the violation of Title 21, United States Code as charged in this Indictment.

2. If any of the property subject to forfeiture, as a result of any act or commission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1) set forth in Counts Two and Three of this Indictment, the defendant

YUSUF HOWARD,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense, including, but not limited to:

(a) a Smith & Wesson .38 caliber revolver, Model 36 with Serial Number 5J6746

(b) five rounds of ammunition

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

NOTICE OF PRIOR CONVICTIONS

Defendant Yusuf Howard committed the offense charged in this Indictment after having been convicted in a Court of the United States of felony drug trafficking offenses as follows:

1. Possession with intent to distribute a controlled substance - Philadelphia Court of Common Pleas; CP #9703-0062.
2. Possession with intent to distribute a controlled substance - Philadelphia Court of Common Pleas; CP #9710-0364.
3. Possession with intent to distribute a controlled substance - Philadelphia Court of Common Pleas; CP #0109-0401.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney